

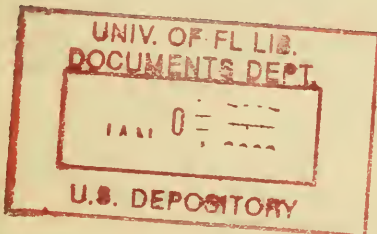
NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO
CODE OF FAIR COMPETITION

FOR THE

SCRAP IRON, NONFERROUS SCRAP
METALS AND WASTE MATERIALS
TRADE

AS APPROVED ON OCTOBER 25, 1934



UNITED STATES
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Approved Code No. 330—Amendment No. 1

AMENDMENT TO CODE OF FAIR COMPETITION

FOR THE

SCRAP IRON, NONFERROUS SCRAP METALS AND
WASTE MATERIALS TRADE

As Approved on October 25, 1934

ORDER

APPROVING AMENDMENT OF CODE OF FAIR COMPETITION FOR THE SCRAP
IRON, NONFERROUS SCRAP METALS AND WASTE MATERIALS TRADE

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of an amendment to a Code of Fair Competition for the Scrap Iron, Nonferrous Scrap Metals and Waste Materials Trade, and hearings having been duly held thereon and the annexed report on said amendment, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, on behalf of the President of the United States, the National Industrial Recovery Board, pursuant to authority vested in it by Executive Orders of the President, including Executive Order No. 6859, dated September 27, 1934, and otherwise, does hereby incorporate by reference said annexed report and does find that said amendment and the Code as constituted after being amended comply in all respects with the pertinent provisions and will promote the policies and purposes of said Title of said Act; and does hereby order that said amendment be and it is hereby approved, and that the previous approval of said Code is hereby amended to include an approval of said Code in its entirety as amended.

NATIONAL INDUSTRIAL RECOVERY BOARD,
By G. A. LYNCH, *Administrative Officer*.

Approval recommended:

ROBERT L. HOUSTON,
Division Administrator.

WASHINGTON, D. C.,
October 25, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,
The White House.

SIR: This is a report on an amendment to the Code of Fair Competition for the Scrap Iron, Nonferrous Scrap Metals and Waste Materials Trade, on which a Notice of Opportunity to be Heard was published on September 10, 1934.

This amendment provides for the assessment of the members of the Trade to support the cost of administration of the Code.

The Deputy Administrator in his final report to the National Industrial Recovery Board on said amendment to said Code having found as herein set forth and on the basis of all proceedings in this matter:

It finds that:

(a) The amendment to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act including the removal of obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the purpose of cooperative action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries, by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power, by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provision of said Title of said Act, including without limitation subsection (a) of Section 3, subsection (a) of Section 7, and subsection (b) of Section 10 thereof.

(c) The Code empowers the Code Authority to present the aforesaid amendment on behalf of the industry as a whole.

(d) The amendment and the Code as amended are not designed to and will not permit monopolies or monopolistic practices.

(e) The amendment and the Code as amended are not designed to and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said amendment.

For these reasons, this amendment has been approved.

For the National Industrial Recovery Board:

G. A. LYNCH,
Administrative Officer.

OCTOBER 25, 1934.

AMENDMENT TO CODE OF FAIR COMPETITION FOR
THE SCRAP IRON, NONFERROUS SCRAP METALS AND
WASTE MATERIALS TRADE

Article VI is hereby amended by deleting Section 4 and substituting in lieu thereof the following:

4. (a) It being found necessary in order to support the administration of this Code and to maintain the standards of fair competition established hereunder and to effectuate the policy of the Act, the Code Authorities are authorized:

(1) To incur such reasonable obligations as are necessary and proper for the foregoing purposes, and to meet such obligations out of funds which may be raised as hereinafter provided and which shall be held in trust for the purposes of the Code;

(2) To submit to the National Industrial Recovery Board for its approval, subject to such notice and opportunity to be heard as it may deem necessary:

(A) Itemized budgets of their estimated expenses for the foregoing purposes, and

(B) Equitable bases upon which the funds necessary to support such budgets shall be contributed by members of the Trade.

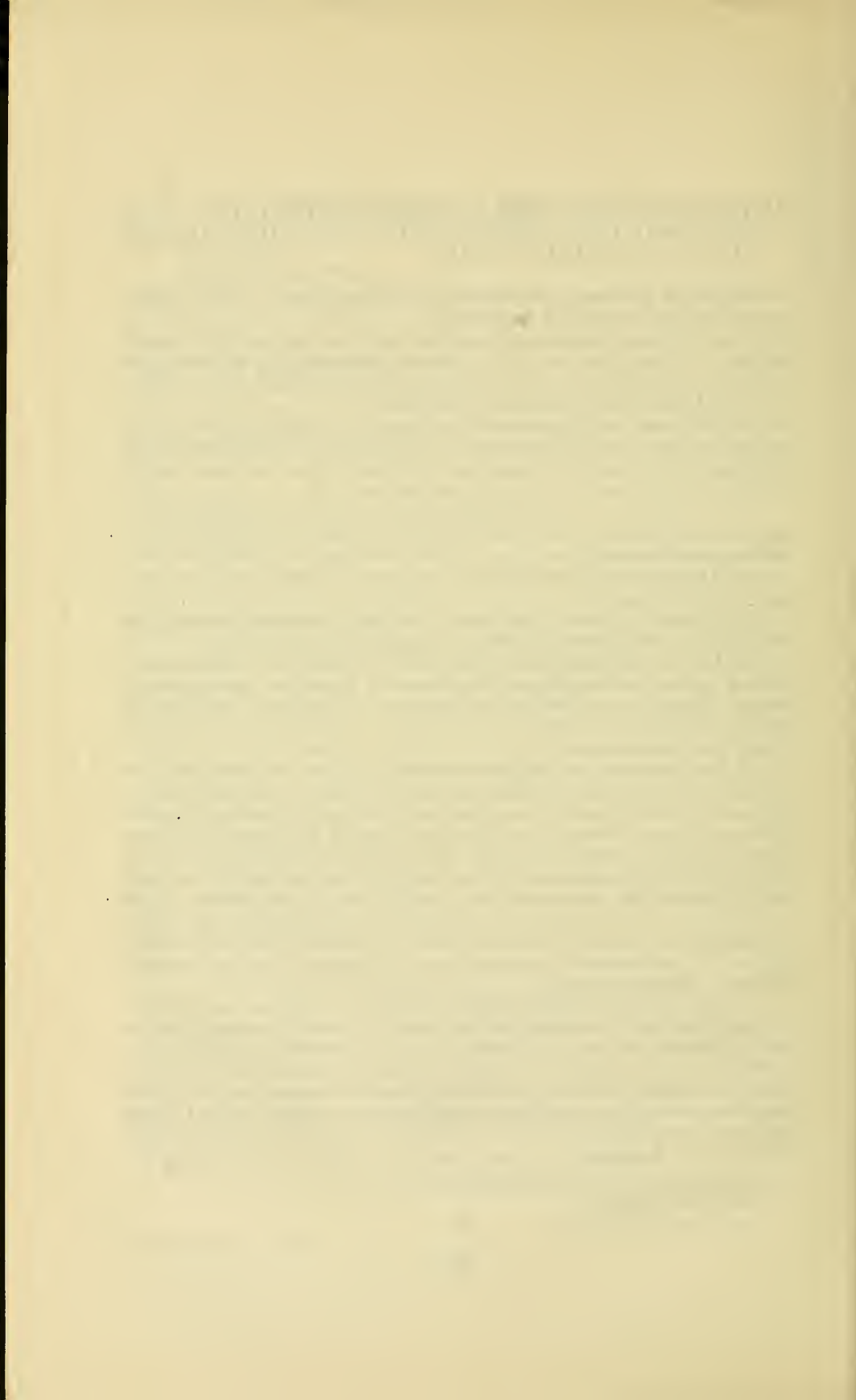
(3) After such budgets and bases of contribution have been approved by the National Industrial Recovery Board, to determine and obtain equitable contribution as above set forth by all members of the Trade, and to that end, if necessary, to institute legal proceedings therefor in its own name,

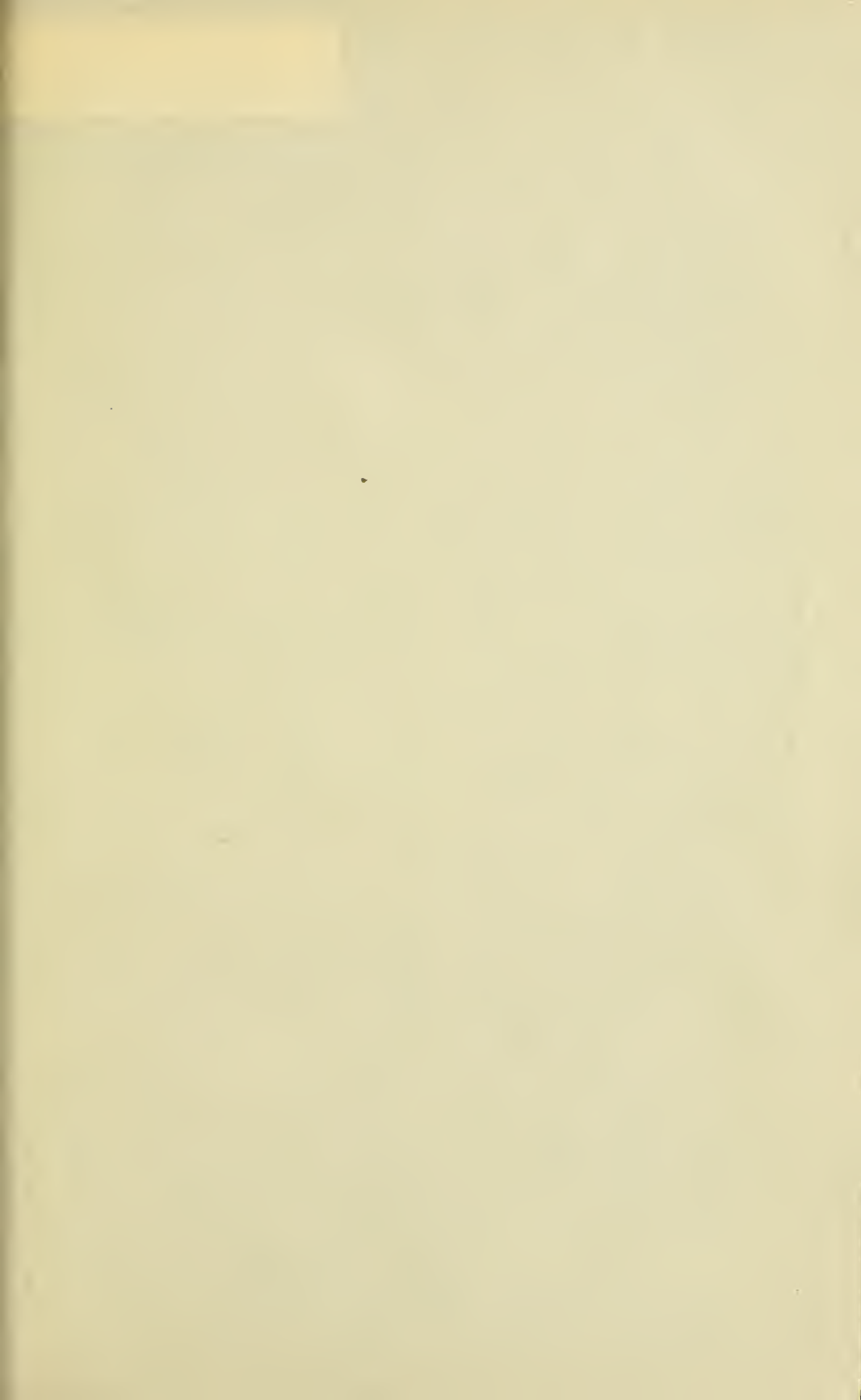
(b) Each member of the Trade shall pay his or its equitable contribution to the expenses of the maintenance of the Code Authorities determined as hereinabove provided, and subject to rules and regulations pertaining thereto issued by the National Industrial Recovery Board. Only members of the Trade complying with the Code and contributing to the expenses of its administration as hereinabove provided, unless duly exempted from making such contributions, shall be entitled to participate in the selection of members of the Code Authorities or to receive the benefits of any of their voluntary activities or to make use of any emblem or insignia of the National Recovery Administration.

(c) The Code Authorities shall neither incur nor pay any obligation substantially in excess of the amount thereof as estimated in their approved budgets, and shall in no event exceed the total amount contained in the approved budgets, except upon approval of the National Industrial Recovery Board; and no subsequent budgets shall contain any deficiency item for expenditures in excess of prior budget estimates except those which the National Industrial Recovery Board shall have so approved.

Approved Code No. 330—Amendment No. 1.
Registry No. 1632-27.

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